

Calendar No. 1980

82D CONGRESS }
2d Session }

SENATE

{ REPORT
No. 2056

FURTHER REGULATING INTERSTATE SHIPMENT OF GAME FISH

JULY 2 (legislative day, JUNE 28), 1952.—Ordered to be printed

Mr. MAGNUSON, from the Committee on Interstate and Foreign
Commerce, submitted the following

REPORT

[To accompany S. 3438]

The Committee on Interstate and Foreign Commerce, to whom
was referred the bill (S. 3438) to further regulate interstate shipment
of game fish, having considered the same, report favorably thereon
without amendment and recommend that the bill do pass.

The Senate Committee on Interstate and Foreign Commerce voted
in consideration of this bill, to adopt the House Report No. 2148, to
companion bill H. R. 5803 which is on the House Calendar.

The House Report No. 2148 follows:

PURPOSE OF THE BILL

The purpose of this bill is to amend the Black Bass Act of May 20, 1926, which
now relates to the interstate transportation of black bass and other game fish
so as to include within its provisions all fish whether game fish or commercial
species.

The Black Bass Act, as amended, prohibits transportation of game fish from
any State or Territory if the fish was obtained or is being transported in violation
of the laws of the area affected, and prohibits receipt or purchase of game fish
under such circumstances. Any package containing game fish transported or
delivered for transportation in interstate commerce must be clearly labeled to show
the number and species of fish contained therein and the names and addresses
of the shipper and consignee. All such black bass and other game fish when trans-
ported into any State, Territory, or District of Columbia shall be subject to the
laws of such State, Territory, or District of Columbia. The act has been an
extremely effective means of supplementing State laws applying to protection of
game fish.

Testimony before your committee showed convincingly that with the great
expansion of the trucking industry within recent years large quantities of under-
sized or otherwise illegal commercial fish have been transported in interstate
commerce to the great detriment of this important natural resource as well as
the commercial fishing industry generally. Effective local enforcement is almost
impossible in view of the relative ease with which truckers of illegal fish can load

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up in out-of-the-way places or at night, disappear over the highways, and be hundreds of miles away and safely beyond State-police jurisdiction before discovery of illegal shipment. The regulatory provisions and penalties provided by the Black Bass Act should prove to be most effective deterrents to the illegal practices mentioned above.

Your committee know of no objection to the bill as reported hereby and, in fact, received strong testimony from the Director of Fish and Wildlife Conservation of the Department of the Interior, and from witnesses representing conservation groups, in favor of the bill.

The report from the Department of the Interior is as follows:

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., April 3, 1952.

HON. EDWARD J. HART,
*Chairman, Committee on Merchant Marine and Fisheries,
House of Representatives, Washington, D. C.*

MY DEAR MR. HART: Reference is made to your request for a report on H. R. 5803, a bill to prevent the shipment in interstate commerce of illegal undersized fish.

While I am in accord with the general objectives of the proposed legislation, I recommend that it be not enacted in its present form.

The purpose of the proposed bill is to define as a Federal offense the transportation in interstate commerce of fish that are undersized or otherwise illegal according to the law of the State wherein such fish were netted, taken, possessed, transported, or shipped. Somewhat similar legislation is found in the act of May 20, 1926 (44 Stat. 576; 16 U. S. C. 851-856), relating to the transportation in interstate commerce of game fish, and has proved to be of considerable aid in the enforcement of State laws and regulations concerning game fish.

A number of provisions normally considered essential to the proper administration of this type of legislation have not been included in the bill, as will be noted by comparing its provisions with those of the act of May 20, 1926. Because of this and because of the similarity of the problems, it is suggested that perhaps the most effective means of obtaining the apparent objectives of the bill would be to amend the act of May 20, 1926, so as to strike out the references to game fish as they appear therein and simply insert in lieu thereof the term "fish".

I have been informed by the Bureau of the Budget that there is no objection to the submission of this report to your committee.

Sincerely yours,

DALE E. DOTY,
Assistant Secretary of the Interior.

